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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,620	02/06/2002	Atsushi Tanaka	00862.022511	4494
5514	7590	06/23/2005		
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER SHANKAR, VIJAY	
			ART UNIT 2673	PAPER NUMBER

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/066,620	TANAKA, ATSUSHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	VIJAY SHANKAR	2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 April 2005.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-11 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection.

Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 10-25-04 has been entered.

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsuura (5,615,318).

Regarding Claims 1, 5, and 9, Matsuura teaches a coordinate input apparatus and a control method and a computer-readable memory which detects three-dimensional position coordinates of an indicating tool (fig.23; col.14, lines 16-25) used in combination with a display (40 in fig.3) for displaying a window based on two-dimensional coordinates (Summary; Figures 1-3, 31-33; col.6, lines 7-45), comprising: storage means for storing a set of coordinate values of a plurality of points for defining a three-dimensional space area (fig.3; col.2, lines 25- col.3, line 20; col.4, lines 10-28; col.8, lines 1-13); coordinate detection means for detecting a three-dimensional absolute coordinate value (Col.8, lines 25-46; Col.10, lines 11-16) of the indicating tool in a three-dimensional space area (fig.8; Col.8, lines 25-46; Col.10, lines 11-16; Fig.21; Col.13, lines 10-36; Fig.32A-B, Col.17, lines 10-58); determination means for determining whether a three-dimensional absolute coordinate value belongs to the three-dimensional space area defined by the set of coordinate values stored in the storage means (figs.1-3; col.2, line 65- col.4, line 27; col.6, line 7- col.7, line 6; col.13, line 30- col.14, line 40 ; col.23, lines 10-31; col.24, lines 60-65); and

conversion means for converting, responsive to a determination of the determination means that the three-dimensional absolute coordinate value(Col.8, lines 25-46; Col.10, lines 11-16) belongs to the three-dimensional space area, a position of the three-dimensional absolute coordinate value in the three-dimensional space area into a display coordinate value of the display (summary; figs.22-24; Col.4, lines 1-28; Col.13, line 30- Col.14, line 40 for 3 D mapping; Col.23, lines 10- Col.26, line 25) .

Regarding Claims 2, 6, Matsuura teaches the storage means stores a set of coordinate values of a plurality of points for defining each coordinate area for each of a plurality of types of coordinate input areas (fig.3; col.2, lines 25- col.3, line 20; col.4, lines 10-28; col.8, lines 1-13; col.13, line 30- col.14, line 40 ).

Regarding Claims 3, 7, Matsuura teaches the storage means further stores switch information indicating coordinate input operation of the indicating tool for each of the coordinate input areas (fig.3; col.2, lines 25- col.3, line 20; col.4, lines 10-28; col.8, lines 1-13; col.13, line 30- col.14, line 40 ).

Regarding Claims 4, 8, Matsuura teaches the storage means further stores a definition table for defining operation of executing predetermined processing corresponding to operation of a mouse (fig.23; col.14, lines 15-28) with respect to a plurality of switches of the coordinate input area and the

indicating tool (fig.3; col.2, lines 25- col.3, line 20; col.4, lines 10-28; col.8, lines 1-13; col.13, line 30- col.14, line 40 ).

Regarding Claims 10, and 11, Matsuura teaches the converting means and step which calculates two-dimensional coordinate values in one of planes comprising the three-dimensional space area and converts the two-dimensional coordinate values into the display coordinate value on the basis of a predetermined magnification and offset (Figs.25A-C; Col.14, lines 24-40; Figs.39-40; Col.19, line 62- Col.20, line 60).

#### ***Claim Rejections - 35 USC § 112***

5. Claims 10 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

1) Claim 10, lines 1-2 , recites the limitation " said converting means " lacks antecedent basis. There is insufficient antecedent basis for this limitation in the claim.

2) Claim 11, lines 1-2 , recites the limitation " said converting step " lacks antecedent basis. There is insufficient antecedent basis for this limitation in the claim.

**Response to Arguments**

6. Applicant's arguments filed on 4-12-2005 have been fully considered but they are not persuasive.

Applicant argues that Matsuura does not teach coordinate detection means for detecting a three-dimensional absolute coordinate value of the indicating tool in a three-dimensional space area .

However, Matsuura does teach coordinate detection means for detecting a three-dimensional absolute coordinate value (Col.8, lines 25-46; Col.10, lines 11-16) of the indicating tool in a three-dimensional space area (fig.8; Col.8, lines 25-46; Col.10, lines 11-16; Fig.21; Col.13, lines 10-36; Fig.32A-B, Col.17, lines 10-58).

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

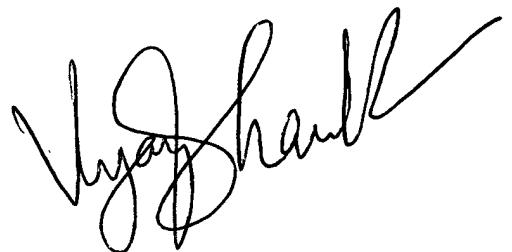
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VIJAY SHANKAR whose telephone number is (571) 272-7682. The examiner can normally be reached on M-F 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BIPIN SHALWALA can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIJAY SHANKAR  
Primary Examiner  
Art Unit 2673

VS